



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

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June 7, 2011

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The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Board of Supervisors

GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS:
WHITEMAN AIRPORT IMPROVEMENT PROJECT - AIRCRAFT PARKING RAMP
CAPITAL PROJECT NO. 67928
RE-ADVERTISE FOR CONSTRUCTION BIDS
(THIRD DISTRICT) (3 VOTES)**

SUBJECT

This action is to authorize re-advertisement for construction bids to reconstruct the asphalt concrete pavement for an aircraft parking ramp at Whiteman Airport in the Pacoima area of the City of Los Angeles; and authorize the Director of Public Works, or her designee, to award, execute, and implement a Consultant Services Agreement for the preparation of a baseline construction schedule and storm water pollution prevention plan.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the revised Project is categorically exempt pursuant to the California Environmental Quality Act, Section 15301(c) and (n), insofar as it consists of minor alteration of existing facilities, involving negligible expansion of use beyond that previously existing.
2. Approve the revised total Project budget of \$1,640,000 for Whiteman Airport - Aircraft Parking Ramp, in the Pacoima area of the City of Los Angeles.

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3. Instruct the Executive Officer of the Board of Supervisors to re-advertise for construction bids to be received and opened on July 12, 2011, in accordance with the Instruction Sheet for Publishing Legal Advertisement.
4. Authorize the Director of Public Works, or her designee, to award and execute a Consultant Services Agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule and storm water pollution prevention plan for a not-to-exceed fee of \$13,000 funded by existing Project funds.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to obtain approval from your Board to re-advertise for construction bids, and authorize the Director of Public Works, or her designee, to award and execute a Consultant Services Agreement to prepare a baseline construction schedule and a storm water pollution prevention plan for a \$13,000 not-to-exceed fee for the reconstruction of asphalt concrete pavement on base material, and the performance of other appurtenant work.

Background

On April 8, 2008, your Board approved the total Project budget of \$2,957,000, which was based on design engineer consultant estimates. On April 15, 2008, your Board adopted plans and specifications and authorized the Executive Officer of the Board of Supervisors to advertise for construction bids. Based on the construction bids received, which were \$1,275,000 less than the design engineer consultant's estimate, the total estimated project budget was revised to \$1,640,000.

On September 2, 2008, your Board rejected all construction bids to allow several airport tenants additional time to vacate the Project site. Subsequent to vacation of the tenants, your Board authorized re-advertisement for construction bids and the Director of Public Works to award a construction contract on March 30, 2010, with bids to be received on May 4, 2010.

Following award of the construction contract, the apparent Lowest Responsive and Responsible Bidder did not complete an acceptable baseline construction schedule and storm water pollution prevention plan (SWPPP) as identified and required in the Request for Proposal. Following the Department of Public Works' (Public Works) and County Counsel's due diligence and legal analysis of this matter, Public Works and County Counsel recommended that the bidder be found non-responsive. Based on this recommendation, your Board took action on March 8, 2011, to reject all bids, since more than 90 days had elapsed during the analysis, which exceeded the expiration date of all other bids received.

To date all prior issues preventing the project's implementation have been resolved; therefore, your Board's approval is recommended to allow re-advertisement of construction bids, authorize the Director of Public Works to award, execute, and implement a consultant, and authorize the Director of Public Works to award and execute a construction contract for the Whiteman Airport Improvement Project.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3). The recommended actions will help meet these goals by providing an improved and more accommodating facility for airport customers using grant funds from outside sources to increase the County's funding sources.

FISCAL IMPACT/FINANCING

The proposed Project's total estimated Project budget is \$1,640,000. The Project is funded by a Federal Aviation Administration (FAA) grant commitment of \$1,558,000, which equates to 95 percent of the total Project cost estimate; the California Department of Transportation California Aid-to-Airports Program Matching Funds Grant, anticipated to reimburse \$38,950, which equates to 2.5 percent of the Federal grant amount; and \$43,050 from the Aviation Capital Project Fund. Sufficient appropriation for the Project is available in the Fiscal Year 2010-11 Capital Project and Refurbishments Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This project, to contract for the reconstruction of aircraft parking ramp pavement, is part of Public Works' program for the operation, maintenance, and repair of airports. It will be advertised in accordance with Section 20392 of the State Public Contract Code.

On April 8, 2008, your Board authorized the former Acting Director of Public Works to apply for an FAA grant and a California Department of Transportation California Aid to Airports Program Matching Funds Grant for the design and construction of an aircraft parking ramp at Whiteman Airport. The FAA awards grants based on bid offers; therefore, the next step is to solicit construction bids by advertising this Project.

This Project is to be completed in 100 working days. It is estimated the work will start in January 2012 and be completed in June 2012.

The proposed consultant services agreement with the apparent Lowest Responsive and Responsible Bidder to prepare a baseline construction schedule and a storm water pollution prevention plan that conforms to the County of Los Angeles' (County) specifications is critical to successfully manage construction activities by both the bidder and the County, and a responsible bidder must be able to produce these deliverables. Bid specifications provide that if the apparent lowest bidder fails to complete acceptable deliverables, Public Works may determine that bidder is nonresponsive and recommend awarding the construction contract to the next apparent Lowest Responsive and Responsible Bidder contingent on that bidder completing deliverables that conform to the County's specifications.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The award of the contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The Project specifications contain provisions requiring the contractor to comply with terms and conditions supporting your Board's ordinances, policies, and programs including, but not limited to: the County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the County's Defaulted Property Tax Reduction Program, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a Lowest Responsive and Responsible Bidder, which is defined as the firm that: (1) submits the lowest price bid; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible bidder with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this Project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

On April 29, 2004, Agenda Item 53, your Board found this Project categorically exempt from the provisions of the California Environmental Quality Act.

CONTRACTING PROCESS

This Project will be contracted on an open-competitive bid basis. A recommendation for award by your Board will be made after review of the bids. The contract will be awarded to a responsible bidder who submits the lowest responsive bid meeting the criteria established by your Board and the State Public Contract Code, and successful completion of the deliverables provided through the Consultant Services Agreement.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this Project will be listed on the County website for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

When the Project is completed, it will have a positive impact by providing an improved and more accommodating facility for airport customers.

The Honorable Board of Supervisors
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CONCLUSION

Please return one adopted copy of this Board letter to the Chief Executive Office, Capital Projects Division; and to the Department of Public Works, Construction Division.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. T. Fujioka', written over the printed name.

WILLIAM T FUJIOKA
Chief Executive Officer

WTF:RLR:DJT
SW:VM:zu

Attachments

c: Executive Office, Board of Supervisors
County Counsel
Affirmative Action Compliance
Public Works

ATTACHMENT A

**WHITEMAN AIRPORT
AIRCRAFT PARKING RAMP
PROJECT SCHEDULE AND BUDGET SUMMARY**

I. PROJECT SCHEDULE

Project Activity	Proposed Completion Dates
Advertise for Construction Bids	July 2011
Award Construction Contract	November 2011
Construction Start	January 2012
Final Acceptance	June 2012

II. PROJECT FUNDING CHART

Project Budget Category	FAA Grant	CAAP Grant	ACPF	Total Funding
Project Design	\$157,192	\$3,929	\$4,344	\$165,465
Construction				
Construction Contract	\$1,108,208	\$27,705	\$30,622	\$1,166,535
Change Order Contingency	\$111,150	\$2,779	\$3,071	\$117,000
Material Testing	\$19,000	\$475	\$525	\$20,000
County Services				
In-House Engineering Review				
Project Mgt. / Inspection	\$114,950	\$2,874	\$3,176	\$121,000
County Administrative Services	\$47,500	\$1,187	1,313	\$50,000
TOTAL	\$1,558,000	\$38,950	\$43,050	\$1,640,000